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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/634,185	08/09/2000	James S. Hiscock	3118-US	5742

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3COM CORPORATION
350 CAMPUS DRIVE
MARLBOROUGH, MA 01752-3064

EXAMINER

TIEU, BINH KIEN

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 05/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/634,185

Applicant(s)

HISCOCK ET AL.

Examiner

BINH K. TIEU

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any^{*} earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7, 13, 14, 16-21, 33, 34 and 63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7, 13-14, 16-21, 33-34, 63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 63, 7, 13-14, 20 and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Sakabe et al. (US. Pat. #: 5,722,076).

Regarding claim 63, Sakabe et al. (Hereinafter “Sakabe”) teaches a data outlet (i.e., receptacles 30 as shown in figure 1), suitable for connecting user-equipment located in a user-operating area (i.e., data terminals 1, wireless phones 2 and 3, camcorders, sensor 43, etc. being located in accessible regions associated with a LAN, etc.) with a premises’ data infrastructure (i.e., hub 11, PBX 12, gateway 13, etc.), the data outlet comprising:

user interface circuitry providing a plurality of user-data interfaces to said user equipment (i.e., one of the receptacles 30 operating as a LAN unit such as LAN unit 41 comprising a plurality of interfaces such as local transmitter-receivers for wireless communication with data terminals 1, or operating as a phone unit 42 comprising similar transceivers for communication with personal handy phone terminals 2, etc., see col.4, lines 11-21 and transceivers shown in figure 3);

premise interface circuitry providing a premise-data interface to said data infrastructure (i.e., transceiver 73, see col.5, lines 21-30), and

Art Unit: 2614

a bridge circuitry providing data packet transfer between said user interface circuitry and said premise interface circuitry (i.e., elements of LAN unit including coder 71, decoder 72, modulator 60, demodulator 64, etc., col.5, line 30 – col.6, line 4; and for the phone unit 42, a channel coded 124, as shown in figure 8 operating as a bridge, see col.7, line 15 – col.8, line 9); and

a housing (see figures 15-17) that (a) is configured of rigid material and has a rear and a front (see figure 15); (b) encloses said user interface circuitry, said premise interface circuitry, and said bridge circuitry (see figures 16 and 17), and (c) is mountable in or on a wall adjacent said user-operating area such that said front provides said a plurality of user-data interfaces and said rear provides said premise-data interface (i.e., receptacles 30 as shown in figure 1 having front including a plurality of transceivers (receptacles 41 and 42) and rear having links 20, etc. col.8, line 61 through col.10, line 18).

Regarding claim 7, note col.9, lines 43-48.

Regarding claim 13-14, note col.7, lines 15-43.

Regarding claim 20, note col.9, lines 25-29.

Regarding claim 33, note wireless controller 87, wire controller 70 in figure 3 and/or controller/microprocessor 142 of hub 11 (col.8, lines 45-60).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

Art Unit: 2614

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 16-17, 21 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakabe et al. (US. Pat. #: 5,722,076) in view of Menon et al. (US 2001/0022784 A1 as cited in the previous Office Action).

Regarding claims 16 and 17, Sakabe fails to clearly teach the high service levels including data encryption and authentication. However, Menon et al. ("Menon") teaches such well-known features in paragraph [0071].

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of the features of the high service levels including data encryption and authentication, as taught by Menon, into view of Sakabe in order to provide security to the outlets.

Regarding claim 21, Menon further teaches limitations of the claim in paragraph [0363].

Regarding claim 34, Menon further teaches limitations of the claim in figure 1 and paragraphs [0071], [0083], [0095], [0221] and [0363].

Art Unit: 2614

5. Claims 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakabe et al. (US. Pat. #: 5,722,076) in view of Vaughn et al. (US. Pat. #: 6,661,893 *also cited in the previous Office Action*).

Regarding claims 18-19, Sakabe fails to teach at least one high-level service includes a diagnostic and status reporting to the user wherein the diagnostic is operative to detect a problem with a connection between the user-equipment and the data outlet, and wherein the status reporting is operative to notify the user of the detected connection problem.

Vaughn teaches a telephone loop monitoring system in (see col. 4) wherein status information can be reported to a user via a display means.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Vaughn into Sakabe in order to make it possible to take corrective measures or request help when necessary.

Response to Arguments

6. Applicant's arguments with respect to new claim 63 and claims 7, 13-14, 16-21 and 33-34 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

**Any response to this final action should be mailed to:
Box AF**

Art Unit: 2614

**Commissioner of Patents and Trademarks
Washington, D.C. 20231**

Or faxed to:

**(703) 872-9314 or (571) 273-8300 (for formal communications; please
"EXPEDITED PROCEDURE")**

mark

Or:

**If it is an informal or draft communication, please label
"PROPOSED" or "DRAFT")**

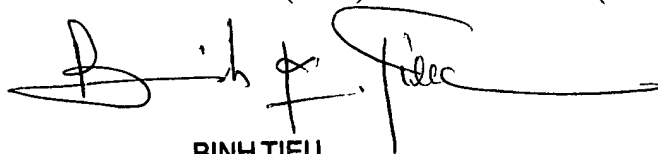
Hand Carry Deliveries to:

**Customer Service Window
(Randolph Building)
401 Dulany Street
Alexandria, VA 22314**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh K. Tieu whose telephone number is (571) 272-7510 and E-mail address: BINH.TIEU@USPTO.GOV.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Curtis Kuntz, can be reached on (571) 272-7499

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**BINH TIEU
PRIMARY EXAMINER**

Art Unit 2614

Date: May 24, 2006